Previous references.

1900.

(Sep. Revenue

File No. 27 of 98.

Serial Nos. 1 — 8.

Later references.

(28)

GENERAL AND REVENUE SECRETARIAT.

Nos. 1 — 8

Major ~~Part~~ B. for February 1900

SUBJECT

Remission in favour of Gutte Gowda Arrack Vend Farmer, Cheeka Nagalur Taluk for 1897-98

---

84. From Gutte Gowda Abkari Contractor
Joldal, Chickamagalur Taluk
Kadur Distt.

Petition. Registered No 163R. Dt. 18-7-98.

Submits Petition, stating reasons for the loss he sustained in the Abkari Contract of the year 1897-98, and prays for the remission of the Arrears, and for Staying of the Sale of his property under attachment by Govt. for the recovery of the arrears.

G. R. S. 58

GPB—4,000—4-7-11

Endorsement—No 63.

Calls for submission of the order upon which this appeal petition was submitted. Sl 2

SC2. From Gutte Gowda, Abkari Contractor, Joldal.
Chickkamagalur Taluk -
Kadur Distt.
Petition Registered No 1552/4274 R Dt. 23-3-99.
Submits the papers called for above.

SC3. To the Excise Comr No 675-/260 Dt. 28/3/99.
Forwards the two petitions Nos 163 R and 1552/4274 R Dt 11th July 98 and 23rd March 1899; and calls for further communication from the Dy Comr on the subject.

SC4. From the Excise Comr. No 6377/299 Dt. 13/14/4/99
Submits copy of further communication from the Dy Comr, Kadur Distt in re- Gutte Gowda, an Arrack Vend Farmer, Chickkamagalur Taluk for 1897-98, praying for remission.

SC5. To the Excise Comr No 7735-/288 Dt. 26-4-99.
Records the above with the request that an endorsement may be given to the Petitioner in the terms of the Excise Comr's and that the Petitions forwarded may be returned to this office.

SC6. From the Excise Comr No 6636/316 Dt. 27/29/4/99.
Returns the Petitions of Gutte Gowda an Arrack Vend Farmer, Chickkamagalur Taluk for 1897—1898.

SECTION S. R.

FILE NO. 27

SERIAL NO.

Submitted,

The petitioner, Guttegauda, ~~Arrack~~ contractor, Vastara Circle, Hirekmagalur Taluk, prays for remission of arrears due by him on account of loss sustained owing to bad season (this failure of Coffee and depression of trade in general). From the copy of correspondence produced by him, it appears that the man was a contractor for some years prior to 97-98 and that an arrear of Rs 276/- has accrued against him for the last year of his contract. The Deputy Commissioner has recommended the amount to be remitted on the ground that the petitioner ~~has been~~ was a good contractor for several years, that he had a bad season for 97-98 and that ~~therefore~~ ~~it~~ a concession of the sort that is recommended to be shown to the petitioner, is often politic to show that Govt. is not too ~~keen~~ hard-hearted. The Excise Comm. thinks that as there are many cases of the kind and as there is no reason to suppose that Guttegauda has suffered more than any others, any concession granted to him would form a bad precedent. The Excise Comm. has asked the Deputy Comm. to show any special grounds.

2. The petitioner says that his property has been attached and will

be sold on 6th Prox - in satisfaction of arrears due by him - He prays that the sale may be stayed and the property released from attachment and that the arrears be remitted ~~and costs~~

Submitted
Secretary Orders
24/3/98

Enquire what the Clerk knows any further communication from the Plaintiff on the subject & report him it was disposed of

Ask for Summons an early date

24/3/98.

Two Rupees stamp affixed

Petition explained & not pronounced

To be returned for reasons (2)

Endt on petn

22/7/98

Considered on 27-7-98

SECTION	
FILE No.	
SERIAL No.	

1898 (1)

No. 163

Name of Petitioner Gutte gowda Abkari Contractor

Village Joldal

Taluk Chikmagalur

District Kadur

Date of Arzi 11-7-98

Date of Receipt 18-7-98

Date of Disposal

No. of Enclosure Nil

ABSTRACT

State, that he has sustained great loss during the past two years in the Abkari Contract that the existence of the loss was found out when the Govt Authorities supervised the business, that his Lands have been attached on account of his having run into arrears and even posted for sale on 15th instant & that if the sale took place he would be ruined beyond all recovery

Prays that

the sale may be stopped, and
the balance due by him to Sir
remitted.

21st July 98.

To.

H. E. The Dewan

& H. H. the Maharajah of Mysore

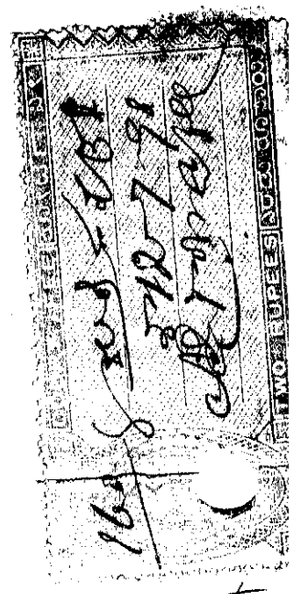
Bangalore.

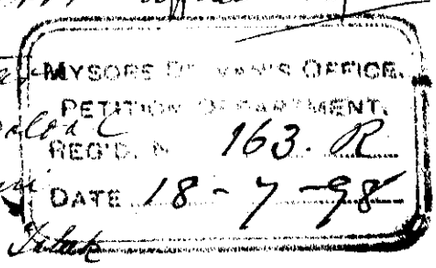
The humble petition of:—

Gulle Gowda

Chikka contractor

Licensed No. 3. Kadta circle, residing in Gold Village, Chuat Majra Lehir Mangalur Taluk Kadur Dist.





Most respectfully Sheweth:—

That your Excellency's humble petitioner had been a contractor in possession of arrack for the last 5 seasons, and also an arrack shop keeper and vendor in possession and caste as his ancestors did from time immemorial. That in the season 1896-97 he took up the contract of Kadta circle and let to the shop keepers at the rate of 2 annas and 3 annas as a margin for themselves reserving all expenses, thinking that there will be good sale or consumption by the public, trusting on the future advantage of the time; but was sorely disappointed owing to the sudden change in

in the Season, and as such there were not adequate Sales, hence your Excellency's humble petitioner had sustained in that Season of about Rs 5-0 to 100 lbs per month.

That in the Season 1897-98 your Excellency's humble petitioner has taken up the contract of the same circle for Rs 3060 thinking that he could make good the loss of the previous year as the Govt. has established a fixture of 2 annas per drum and as such he would have better success than the preceding year; but as his misfortune would have it the prevailing distress in the Local Money Markets, failure of coffee and several other kindred causes consumers have gradually fallen down and trade itself has run down to the lowest ebb and there was a loss of Rs 100 to 150 in the original amount itself per month. Complaints having risen in this matter the Government authorities tried an experiment on their personal supervision but on the petitioners own responsibility if the loss stated by him is supportable and true. They have found it to be clearly appreciative. But with all this they have not made any arrangement for the good of the poor contractor. That if your Excellency would be graciously pleased to order the examination of the accounts, it will be quite clear that the statement of the humble petitioner is quite true and believable

That your Excellency's humble petitioner has sustained a great loss in these two years, which, portrayed in an amount is quite unretrievable for many to come, and thus he is reduced to the lowest state poverty. In addition to this the Government have attached the only remaining lands that he had and have brought them to public sale.

That if your Excellency's humble petitioner has failed to pay the Govmt. due in any surreptitious way, the punishment awarded to him by the Govmt. in having attached and brought to sale his property to the public auction on the 15th proximo would be an adequate punishment, but as is well known as stated above there is not the slightest dissimulation on his part.

That if the properties of your Excellency's humble petitioner is sold in auction when, considering the time and the failure of money that is prevailing here, there will be no good sales and nobody would like to be purchasers, and that thereby the humble petitioner will be ruined beyond all possible recovery.

That therefore he humbly approaches your Excellency with this humble application praying that you will be pleased to order the stop of the sale of his properties and kindly grant a remission of the balance due by him to the Government

after

after deducting the amount he has already paid for the previous two years and thus graciously relieve your Excellency's humble petitioner & family of small children from the sudden change of their fortune in spending upon months of the expected ruin and poverty

The humble petitioner with all his family ever pray for such generosity and charity of your Excellency's

Salem Reception
11th July 1898

I beg to remain
Most Excellent Sir
your Excellency's
most devoted obedient and
humble servant

OFFICE OF THE
27 JUL 98
SECRETARY OF STATE

Petn 163

By order

For Secretary

Refer

22.3.99

163 of 99 Endt put up.

Mk

23/3/99

Endd.

The Excise Comrs reply to the Depy Comrs dy 24.8.98 is not final (vide copy produced) Petr prays for stay of the order of his passports.

Mk 22.3.99

Dy Comr of Excise Branch

23/3/99

SECTION S. R.

FILE No. 27 1899 (2)

SERIAL No. No. 1652 Ex 274.

Name of Petitioner Gutte Gowda Abkari Contractor

Village Jolbal

Taluk Chickmagalur

District Kadur

Date of Arzi

Date of Receipt 23-3-99

Date of Disposal

No. of Enclosure two

ABSTRACT

With reference to this office Endorsement No 163 dated 22nd July 1898 requiring the petitioner to produce the order complained of, begs to submit an authenticated copy of the order of the Excise Commissioner No 1513/32 dy 24-8-98 on the letter of the Dy Comr Kadur Dist recommending remission of Rs 27/8 due by the petitioner to Govt.

The order is as follows:—

"There is no reason why the depression of Coffee trade

season should have affected this farm more than any other in the Dist. Evidently the defaulting farmer (petitioner) must have failed to manage the farm satisfactorily in the hope of obtaining a remission. There are many cases similar to this and to grant a remission in favour of any one of them would be a bad precedent. Requests to be informed if there are any exceptional and special circumstances in his (petitioners) case.

Petitioner says:—

That the drought took pity on him and recommended remission; that the petitioner has no other properties than those under attachment, that similar concession has been shown to other contractors, & that the said properties will be sold in the 6" proviso.

Prays that the sale may be stayed and the properties released from attachment.

III.

Enc. 1. Copy of the order above referred to.
2. Petitioner's first petition

1/199

1552
PETITION DEPARTMENT
REGD. No. 1552 R
DATE 23-3-99

for statement
23.3.99
Mill.

The petitioner most respectfully begs to add as follows:- →

(1). That on account of his contract the petitioner had disposed of the major portion of his properties, and made good the loss he had incurred in the previous years.

(2) That the Deputy Commissioner of Kadur District, seeing the pitiable circumstances of the petitioner, sympathized with the petitioner's condition and recommended him to the Excise Commissioner in Mysore for the remission of the amount.

(3) That, although the Deputy Commissioner stated clearly all the circumstances in the petitioner's case, the order of the Excise Commissioner rejecting the Deputy Commissioner's to form him any exceptional & special circumstances in the petitioner's case, is wrong.

(4). That the petitioner has no other properties than those under attachment.

(5). That, if they are sold, the petitioner, who has to support a large family, will be utterly ruined.

(6). That under the above circumstances, concession had been shown to some of the Contractors and remission had been granted.

(7) That as the petitioner is a permanent Contractor, he most humbly requests that under such circumstances, some sort of concession may be shown to him and remission may be granted.

(8). That the properties of the petitioner are to be sold on the 6th proximo.

(9) That the petitioner most humbly prays that the sale may be stopped and properties released from attachment

N.B. Certified copy of the order passed by the Excise Commissioner is herewith produced.

From

The Deputy Commissioner

Nadia District

To

The Excise Commissioner

in Mysore

Dated 15/16 August 1898

No 53

Sir

In returning herewith for favour of orders records ending with General Assistant Commissioner's memo dated 3rd instant I have the honor to state that we shall realize about 20 Rupees from interest on the Bank account of Guttiepowda which leaves a balance of about Rs 276 owing.

Guttiepowda has been a contractor for some years and has worked satisfactorily hitherto. Taking this into consideration I think we might stretch a point and remit the amount due by him seeing how

bad last season was and as a special case I think a concession of this sort is often politic to show that Government is not too hard-hearted.

I have the honor to be
sir
Your most obedient servant
(sd) F. E. C. Carr
Deputy Commsr.
Kadur District

From

The Excise Commissioner
in Mysore

To

The Deputy Commissioner
Kadur

Dated 24th August 1898
Despatched 25th "

General No 1513/32
Enclosure No 1 file

The Deputy Commissioner's Docket No 53 dated 15/16th instant forwarding the vernacular records in two matters of default made by Guttigowda Arrack Vend Farmer of the Vastara circle in the Chickmagalore Taluk for

1897-98 and recommending that Rs 296-12-2 still due from him may be remitted

---

In reply has the honor to state that as the rental of the Vastara Vend farm for 1897-98 was almost the same as that of the previous (vide margin), there is no reason whatever why the depression of coffee trade or bad season should have affected this farm more than any other in the district. Evidently the defaulting farmer Guttigowda must have failed to manage the farm satisfactorily in the hope of obtaining a remission — There are many cases similar to this in the state; and to grant a remission in favour of any one of them would be a bad precedent. Requests to be informed if there are any exceptional and special circumstances in Guttigowda's case.

2 The enclosures are herewith

Rental for 1896-97 Rs 3000
1897-98 Rs 2060

Returned for reference and resubmission

(Sd) S. Venkatranga Iyengar

For Excise commissioner

in Mysore.

True Copy

Date of Copy applied for - 7-3-99

" Copy made ready for delivery } 13-3-99

" Copy delivered - 16-3-99

No of words - 376

Amount of Fees - 0-6-

Comparing fees - 0-1-4

Total 0-7-4

Sd/- S. Venkatranga Iyengar

For Deputy Commr 1873

Kadur District

SECTION 5.12

FILE No. 2

SERIAL No.

(3)

To

The Excise Commr in Mysore

Dt 28/3/99

Despd 28

No: 6752 to 3

Ex 260.

In forwarding herewith two petitions Regd Nos: 163R and 1552R of 11th July 98 and 73rd March 1899 from Gutte Gauda, Arrack Contractor, Vastara Circle for 1897-98 - praying for remission on account of loss said to have been sustained through bad season, has the honour to invite the Excise Commr's attention to his docket No: 1513/32 of 25th August 1898 to the address of the Kadur Deputy Commr (Vide copy enclosed by the petitioner) calling for information as to whether there are any exceptional and special circumstances in Guttegowda's case making him deserve the remission recommended by the Deputy Commr, and to enquire whether there

there was any further communication from the Deputy Commr on the subject and if so how it was disposed of.

The favour of an early reply is requested.

By Order

28/3/44

for Secretary

SECTION R

FILE NO. 27

SERIAL NO. 4

REVENUE DEPARTMENT
G.C. No. 6353
APR 15 '899
No.
SECRETARY'S OFFICE 1899

Ex 293

From The Excise Commissioner
in Mysore.

To (4)

The Secretary to Govt. of Mysore.
Jenral & Revenue Dept. S

Dated 13th april 1899
Despatched 14th —do—
Received
General No. 6377
No. 299
Enclosure No. 1

In reply to Secretary's docket No 673
dated 28th ultimo. Ex 26

SUBJECT.

Submits copy of further communi-cations from the Deputy Commissioner Kadur district, in re Gutte Gowda an arrack rend farmer, Chikmaga-luk, for 1897-98, praying for remission.

References (to be entered only in the Dewan's Office.)

Submitted for orde

15-4-99

Excise Commissioner's office
Bangalore, 12th April 1899.

No. 6377/299 Enc 1

From

The Excise Commissioner
in Mysore

To

The Secretary to the Government of Mysore
General and Revenue Departments.

Sir,

In reply to your docket No. 6752/Ex 260, dated 28th ultimo, I have the honor to submit herewith, Copy of further communications as per margin, in re Gutte Gowda, an arrack vend farmer, Chik-magalur taluk, for 1897-98, praying for remission.

I have the honor to be,
Sir;
Your most obedient Servant
M. Devanagy
Excise Commissioner
in Mysore.

From Dy Commissioner Kadur Dt.
2. Docket No. 6379/105 dated 12 April 1899 to the Dy Commissioner, Kadur Dt.

4/a

From

The Deputy Commissioner.
Kadur District.

To

The Excise Commissioner
in Mysore

Dated 8th April 1899.

No. 257

Excise Commissioner's No. 1513, and 6072/105, dated 24-8-98 and 1-3-99 respectively enquiring if there are any special circumstances in favor of Guttegowda an arrack Vend Farmer, Chickmagalur Taluk, for 1897-98, to recommend a remission in his case.

In reply the undersigned has the honor to state that the exceptionally heavy fall in Consumption owing to the grave depression in the Coffee industry for the last 3 years, was the ground on which remission was recommended by the undersigned. The fall, however may to some extent be due to the bad management of

of the Contractor, but it cannot entirely be attributed to that cause.

(Signed) K. R. Srinivasiengar
For Dy Commissioner.
Kadur District.

From The Excise Commissioner
in Mysore

To The Deputy Commissioner.
Kadur District.

Dated 13th April 1899.

No. 6379/14/108

The Deputy Commissioner's docket No. 257 dated 8th instant.

In reply has the honor to state that as no special circumstances have been reported in favor of Gutte Gowda, an arrack Vend Farmer, Chickmagalur Taluk, for 1897-98, entitling him to any Concession, no remission can be recommended in his favor. All the arrack vend farms in the Malnad have suffered more or less owing to the depression in the Coffee industry.

(Sd) P. R. Purnaiya
Excise Commissioner
in Mysore.

"Copy"
D. Nicholson
Excise Commissioner

SECTION L R

FILE NO. 27

SERIAL NO. 5

19

Read:— (5)

Letter no 6377/299 & 13th ult. April 99, submitting, with reference to this office no 6752/2260 & 28th march 99, copy of further correspondence ~~correspondence communications~~ between himself and the Dy. Commr. Kadur dist. resulting in the Excise Commr's reply that, as no special circumstances have been reported in favr of Guttepoda, an arrack vend farmer, Chikmagalur Taluk, for 1897-98, entitling him to any concession, no remission could be recommended in his favr

No 7735/Ex 288 & 26.4.99

26.

Order therein:—

Recorded with the request that the petitioner may be informed in terms of the Govt's reply to the Dy. Commr. referred to above, and the

petitions forwarded with
docket no 6752 & 28 lbs
9x260
march 1899 may be returned to this
office

2574199

21/wlgg Secretary

The Excise Commr.

No: 6696/316 Encl 1 file

Excise Commissioner's Office

Bangalore dated 27th/29 April 1899

From

The Excise Commissioner

in Mysore

To

The Secretary to Government

General and Revenue Department

Sir,

In reply to Government Proceedings No 7735/En 288, dated 26th instant, I have the honor to return herewith the petitions of Guttegowda, an arrack vend farmer, Chikmagalur Taluk, for 1897-98.

I have the honor to be

Sir

your most obedient Servant

[signature]

For Excise Commissioner

in Mysore

VR

6724 Ex. 311 21

1899 6

SECTION

FILE NO.

SERIAL NO.

From The Forest Commissioner in Mysore

To The Secretary to Govt. of Mysore.
General and Revenue Depts

Dated 27th
Despatched 29 } April 1899
Received

General No. 6696
No. 316
Enclosure No. 1 file

In reply to Government Proceedings No. 7735 / En 288, dated 26th instant.

SUBJECT.

Returns the petitions of Guttegowda, an arrack vend farmer, Chickmagalur Taluk, for 1897-98.

4.5.99

Ref 4/5/99

References (to be entered only in the Dewan's Office.)

Submitted with reference to this Govt. proc. No. 7735 / En 288 of 26.4.99.

This may be filed.

4/5/99

4/5/99

23
1920
Ex 187

SECTION [illegible]

FILE No. [illegible]

SERIAL No. [illegible]

Excise]

1900

From The Excise Commissioner in Mysore

To

THE SECRETARY TO GOVT. OF MYSORE,
Revenue & General Depts

Dated 2nd February 1900

Despatched 3. do

Received

General No. 4139

No. 194 Enclosure No. 2

In reply to

SUBJECT.

Forwards copy of communication from the Deputy Commissioner Kadur District together with a Remission statement for Rs 131-5-2 in favour of Gutte Gowda, arrack vend farmer, Chickmagalur Taluk for 1897-98, and recommends that for reasons stated by the Deputy Commissioner, Kadur District the amount may be ordered to be written off the accounts.

2
5-2-1900 S. K

References
(to be entered only in the Dewan's Office.)

Excise Commissioner's office
Bangalore, 2nd February 1900

No. 1439 Exc 2
194

From

The Excise Commissioner
in Mysore.

To

The Secretary to the Government
of Mysore
General & Revenue Departments.

Sir

In submitting herewith copy of dockets Nos. 165, dated 8th January and 187, dated 22nd January 1900, from the Deputy Commissioner, Kadur District, together with a remission Statement for Rs 131-5-2, duly verified by the Comptroller, in favour of Gatte Gowda, arrack vend farmer, Wastara, Chickmaglur Taluk, for 1897-98, I have the honor to state that for reasons mentioned by the Deputy Commissioner, the amount is irrecoverable, and to recommend therefore that it may be ordered to be written off the accounts.

I have the honor to be
Sir
Your most obedient Servant

Excise Commissioner
in Mysore.

1899 — 1900

From

The Deputy Commissioner,

Kadur District

To,

The Excise Commissioner,

in Mysore

Dated 8th
Despatched 9th } January 1900.

No. 165, Enc: Ver: papers

I have the honor to forward herewith a Statement showing the amount of arrack rental due from Gutte Gowda for 1897/98 on account of the Vasthara Circle in the Chickmagalur Taluk. There are no means to levy the amount and so it has to be remitted.

2. The Vernacular Correspondence ending with the Chickmagalur Amildar's report No. 181 of the 28th December 1899, is enclosed for reference.

(Sd.) B. K. Venkatavardiengar
Deputy Commr.
Kadur District

P.T.O

1899—1900

From

The Deputy Commissioner,
Kadur District

To.

The Excise Commissioner,
in Mysore

Dated 22nd January 1900
Despatched -00-

General No. 187.

Enc: 1 Statt + Ver: Corres.

His docket No. 471/84 of the 19th January 1900, returning the permission Statement preferred to for preparation in the form prescribed.

Has the honor to forward the Statement prepared in the form given. The Vernacular papers accompany.

(Sd.) B. K. Venkatavaradiengar
Deputy Commissioner
Kadur District

"Copy

Excise Commissioner,
in Mysore

Ex. G. 31

Statement showing the am

1	Name of Farm.	Name of Farmer (defaulter).	Amount of original bid including local cess if any.		Date of resale
			Per month	Per annum.	
	2	3	4	5	6
	Wastara - Chikmagalur Taluk -	Gunthegowda	497	8-5970	

Deputy Commissioner's Office
.....Kadur.....District
Dated 22nd January 1898.

Arrack

of Rental recommended for Remission in the Taluk of Chikmaglur in the Kadur District for the

... or adjusted up to resale.		Arrears due on date of resale	Amount of further Khista still due from date of resale up to close of original lease.	Total Amount due from farmer towards original bid	Deduct			Balance irrecoverable for rem	
...stress of ...s, &c.	Total				Adjustment from security deposits, &c.	Amount realized by resale.	Total Amount.	On account of arrears.	On acco... loss ... resa...
8	9	10	11	12	13	14	15	16	17
...	4:43/10/0			1126 5 2 995		995	131 5 2		

The amount of Rs 131-5-2 shown herein is calcu... agrees with the Sarkarvar Ledger of this office.

Office of the Comptroller in Mysore
Dated Bangalore, 30th January 1900

Comptroller

Revenue Commissioner
in Mysore

30th Jan 1900

Name of Farmer who purchased at resale	Remarks
19	20
	An arrear of Rs 264-5-2 was due from Gunthegowda as arrack rental for the year 1897-98. He pleaded that he had sustained loss owing to adverse season and the sudden depression of Coffee industry. Mr Carr (Deputy Commissioner) recommended the balance for remission. But the Government concurring with the opinion of the Excise Commissioner decided that no special circumstances other than what were put forth by the defaulter, existed to show any concession. (vide correspondence ending with the Excise Commissioner's memo no. 6628/114 of the 27th April 1899). Thereon coercive measures were adopted for the recovery of the arrear. The right, title and interest of the defaulter in some immovable property were put up to auction and Rs 133/- were realized and credited to Government. The Amildar was asked to proceed to recover the balance of Rs 131-5-2 on the defaulter's other properties, if any. He states that the defaulter does not own any more property either movable or immovable. The balance of Rs 131-5-2 is therefore recommended to be written off the accounts.

Deputy Commissioner
Kadur District

2

SECTION.....

FILE NO.....

SERIAL NO.....

Read:-

Letter No: 4439/194 of 2nd February 1900 from the Excise Commr in Mysore, submitting for sanction a remission statement for Rs 131-5-2 in favour of Gutte Ganda, Arrack Vend Farmer, Chickmagalur Taluk for 1897-98, on the ground that the amount is irrecoverable.

No. 570-1F/Rm.7.27-98 dated 7/2/1900

Order thereon

Sanctioned.

7/2/00

Secretary

To

The Excise Commr in Mysore

& Comptroller, Mysore Govt.

SC 7. From the Excise Comr No 4439/194 dt- 2/3 Feby 1900.

Forwards a Copy of Communication from the Dy Comr, Kadur Distt together with a Remission Statement for Rs 131-5-2 in favour of Gutte Gowda, Arrack Vend Farmer, Chickamagalur Taluk for 1897-1898, and recommends that for reasons stated by the Dy Comr, Kadur Distt, the amount may be ordered to be written off in the accounts.

SC 8. To the Excise Comr in Mysore

The Comptroller, Mysore Govt:-

No J 5710-11/Ex. J. 27-98 dt- 5-2-1900.

Sanction the Remission recommended by the Excise Comr in the above letter (SC 7)

Indexed